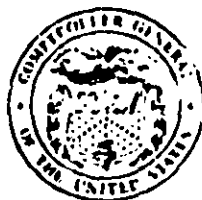


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DECISION



Floyd Phillips
THE COMPTROLLER GENERAL PL I 1
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-191236 DATE: February 27, 1978
MATTER OF: Dr. Robert S. Ray Association

DIGEST:

GAO will not consider protest questioning small business status of partnership since authority to determine size status of business concern is vested in SBA.

By letter dated February 3, 1978, the Dr. Robert S. Ray Association protested the decision by the Air Force to exercise a contract's first year option for the period March 17, 1978, through March 16, 1979.

The protester states that the basis of its protest is that the "partnership" of two medical doctors does not qualify as a "small business." The protester does not specifically explain what the partnership connection is with the above-mentioned contract, but merely mentions a letter from the contract administrator which was not enclosed. However, we do not believe that further clarification is necessary since, essentially, the protest questions the partnership's small business size status.

Pursuant to 15 U.S.C. § 637(b)(6) (1970), the authority to determine the size status of a business concern is exclusively vested in the Small Business Administration and is not subject to GAO review. Joe Silva, B-188149, January 25, 1977, 77-1 CPD 56. Pursuant to Armed Services Procurement Regulation § 1-703(b)(1) (1976 ed.), a protest concerning the small business status of a firm should be sent within the time limits specified therein for referral to the Small Business Administration.

B-191236

Thus, we will not consider the protest on the merits.

Paul G. Demoling
Paul G. Demoling
General Counsel